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SEP 25 2006

REMARKS

Claims 1 to 32 are pending. Claims 2 and 11 are cancelled and claim 32 is new. No claims are allowed.

It is believed that claims 1, 3 to 10 and 12 to 32 are now in a condition for allowance. Notice of Allowance is requested.

Respectfully,

Michael F. Scalise
Reg. No. 34,920

Greatbatch, Inc.
9645 Wehrle Drive
Clarence, New York 14031
(716) 759-5810
September 25, 2006

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REMARKS

Claims 1 to 32 are pending. Claims 2 and 11 are cancelled and claim 32 is new. No claims are allowed.

Claim 1 (group I) is drawn to a first electrode, claims 2 to 9 (group II) are drawn to a second electrode, claims 11 to 18 (group III) are drawn to an electrochemical cell and claims 19 to 30 (group IV) are drawn to a method of making an electrode.

The examiner is of the opinion that restriction between claim groups I, II and III is proper as combination and subcombination "as evidence by the two distinct electrodes being claimed in claim group I and II therefore either electrode could be used in the electrochemical cell of claim group III." In that respect, independent claims 2 and 11 (groups II and III) have been cancelled. New independent claim 32 has been added and is essentially directed to an electrochemical cell incorporating the electrode of claim 1.

The examiner is further of the opinion that restriction between groups I, II and IV is proper as process of making and product made. "In the instant case the method of producing and (sp) electrode in claim group IV can be used to make either or (sp) the distinct electrodes of claim groups I or II." In that light, independent claim 2 (group II) has been cancelled. Independent claim 19 is now directed to a method of providing an electrode essentially as set forth in independent claim 1.


The cancellation of independent claim 2 and 11 is without traverse.

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A substantive examination on the merits of the pending claims is requested at an early date.

Respectfully,


Michael F. Scalise
Reg. No. 34,920

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(716) 759-5810
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